

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	:	CRIMINAL NO. 1:CR-03-251-05
	:	
	:	
v.	:	
	:	
	:	
MICHAEL MCKINNON	:	

**ORDER**

On June 21, 2010, this court issued an administrative order advising Defendant of the limitations on filing motions under 28 U.S.C. § 2255. Defendant was advised in that order that if Defendant failed to notify the court of his election to proceed or to refile, the court would rule on the petition as submitted.

Defendant did not notify the court of his election. **IT IS THEREFORE ORDERED THAT:**

- 1) Petitioner is granted leave to proceed *in forma pauperis*.
- 2) Respondents shall show cause within twenty (20) days of the date of this order why Petitioner should not be granted habeas corpus relief.
- 3) A determination as to whether or not Petitioner should be produced for a hearing will be held in abeyance pending the filing of a response.
- 4) Petitioner shall, if he so desires, file a reply to the response to the show-cause order within fifteen (14) days of its filing.

Dated: September 20, 2010.

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s/Sylvia H. Rambo  
SYLVIA H. RAMBO  
United States District Judge